



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
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September 29, 2016

Ms. Sheral Kellar, Director
Office of Workers' Compensation Administration
Post Office Box 44187
Baton Rouge, Louisiana 70804-4187

Re: Ethics Board Docket No. 2016-688

Dear Ms. Kellar:

The Louisiana Board of Ethics, at its September 16, 2016 meeting, considered your request for an advisory opinion as to whether a former assistant attorney general may be appointed to the position of Executive Director of the Second Injury Board. You stated that the Office of Workers' Compensation Administration contracts with the Attorney General's office for the legal services of three (3) assistant attorney generals, known as Inter-Agency Transfers. You stated that the assistant attorney generals handle all litigation appeals of the Second Injury Board and provide additional legal assistance to the office as needed. You stated that the Office of Workers' Compensation Administration would like to appoint one of the assistant attorney generals to the position of Executive Director of the Second Injury Board that is assigned to the Office of Workers' Compensation Administration through the Inter-Agency Transfer. The assistant attorney general would resign from the Attorney General's office prior to taking the position of Executive Director.

The Board concluded, without the participation of Chairman Monroe, and instructed me to inform you, that the Code of Governmental Ethics would not prohibit a former assistant attorney general assigned to the Office of Workers' Compensation Administration from being appointed to the position of Executive Director of the Second Injury Board. **La. R.S. 42:1121B** provides no former public employee shall, for a period of two years following the termination of his public employment, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such former public employee participated at any time during his public employment and involving the governmental entity by which he was formerly employed, or for a period of two years following the termination of his public employment, render any service which such former public employee had rendered to the agency during the term of his public employment on a contractual basis, regardless of the parties to the contract, to, for, or on behalf of the agency with which he was formerly employed. Since the former assistant attorney general would not be assisting another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such former public employee participated at any time during his public employment and involving the governmental entity by which he was formerly employed; and, since he will not be rendering any service which he had rendered to the agency during the term of his

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Ms. Sheral Kellar

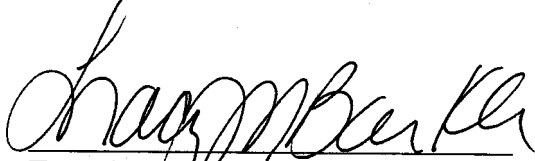
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public employment on a contractual basis, to, for, or on behalf of the agency with which he was formerly employed no issue arises under the Code of Ethics with his appointment to the position of Executive Director.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

A handwritten signature in black ink, appearing to read "Tracy M. Barker", is written over a horizontal line.

Tracy M. Barker

For the Board

cc: Ms. Cathy Wells, Deputy Director of Louisiana Workforce Commission